

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

LISA GOYETTE LUCIANO-NORMAN,

Plaintiff,

5:16-CV-1455
(GTS/WBC)

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

APPEARANCES:

OF COUNSEL:

MEGGESTO, CROSESETT & VALERINO, LLP KIMBERLY A. SLIMBAUGH, ESQ.
Counsel for Plaintiff
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SOCIAL SECURITY ADMINISTRATION ARIELLA R. ZOLTAN, ESQ.
OFFICE OF GEN. COUNSEL–REGION II Special Assistant U.S. Attorney
Counsel for Defendant
26 Federal Plaza, Room 3904
New York, New York 10278

GLENN T. SUDDABY, Chief United States District Judge

DECISION and ORDER

The above-captioned matter comes to this Court following a Report-Recommendation by United States Magistrate Judge William B. Mitchell Carter, filed on September 11, 2017, recommending that Plaintiff's motion for judgment on the pleadings be granted in part and denied in part, the Commissioner's decision denying Plaintiff Social Security benefits be reversed in part and affirmed in part, and this matter be remanded to the Commissioner of Social Security for further proceedings under sentence four of 42 U.S.C. § 405(g) and consistent with the Report-Recommendation. (Dkt. No. 14.) Objections to the Report-Recommendation have not been filed and the time in which to do so has expired. (*See generally* Docket Sheet.)

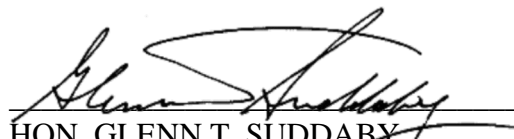
After carefully reviewing all of the papers herein, including Magistrate Judge Carter's thorough Report-Recommendation, the Court can find no clear error in the Report-Recommendation. Magistrate Judge Carter employed the proper legal standards, accurately recited the facts, and correctly applied the law to those facts. (Dkt. No. 4.) As a result, the Report-Recommendation is accepted and adopted in its entirety for the reasons stated therein. (*Id.*)

ACCORDINGLY, it is

ORDERED that Magistrate Judge Carter's Report-Recommendation (Dkt. No. 14) is **ACCEPTED** and **ADOPTED** in its entirety; and it is further

ORDERED that Plaintiff's motion for judgment on the pleadings (Dkt. No. 9) is **GRANTED in part** and **DENIED in part**, the Commissioner's decision denying Plaintiff Social Security benefits is **REVERSED in part** and **AFFIRMED in part**, and this matter is **REMANDED** to the Commissioner of Social Security for further proceedings under sentence four of 42 U.S.C. § 405(g), and consistent with the Report-Recommendation.

Dated: October 25, 2017
Syracuse, New York


HON. GLENN T. SUDDABY
Chief United States District Judge